

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2003-CE-68-AD; Amendment 39-13823; AD 2004-21-02]

RIN 2120-AA64

Airworthiness Directives; Przedsiębiorstwo Doswiadczalno-Produkcyjne Szybownictwa "PZL-Bielsko" Model SZD-50-3 "Puchacz" Sailplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA adopts a new airworthiness directive (AD) for all Przedsiębiorstwo Doswiadczalno-Produkcyjne Szybownictwa "PZL-Bielsko" (PZL-Bielsko) Model SZD-50-3 "Puchacz" sailplanes. This AD requires you to repetitively inspect the front and back of the fuselage front bulkhead attachment fitting for cracks and replace the attachment fitting if any cracks are found. This AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Poland. We are issuing this AD to detect and correct cracks in the fuselage front bulkhead attachment fitting, which could result in structural failure of the bulkhead. This failure could lead to loss of control of the sailplane.

DATES: This AD becomes effective on November 29, 2004.

As of November 29, 2004, the Director of the Federal Register approved the incorporation by reference of certain publications listed in the regulation.

ADDRESSES: You may get the service information identified in this AD from Przedsiębiorstwo Doświadczalno-Produkcyjne Szybownictwa PZL-Bielsko, ul. Cieszyńska 325, 43-300 Bielsko-Biala: telephone: +48 033 812 50 21; facsimile: +48 033 812 37 39.

You may view the AD docket at FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2003-CE-68-AD, 901 Locust, Room 506, Kansas City, Missouri 64106. Office hours are 8 a.m. to 4 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Greg Davison, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4130; facsimile: (816) 329-4090.

SUPPLEMENTARY INFORMATION:

Discussion

What events have caused this AD? The General Inspectorate of Civil Aviation (GICA), which is the airworthiness authority for Poland, recently notified FAA that an unsafe condition may exist on all PZL-Bielsko Model SZD-50-3 "Puchacz" sailplanes. The GICA reports that cracks were detected in the front bracket console mounted on the fuselage front bulkhead.

What is the potential impact if FAA took no action? This condition, if not detected and corrected, could cause the fuselage front bulkhead to fail. Failure of the fuselage front bulkhead could result in loss of control of the sailplane.

Has FAA taken any action to this point? We issued a proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to all PZL-Bielsko Model SZD-50-3 "Puchacz" sailplanes. This proposal was published in the Federal Register as a notice of proposed rulemaking (NPRM) on April 21, 2004 (69 FR 21444). The NPRM proposed to require you to repetitively inspect the front and back of the fuselage front bulkhead attachment fitting for cracks, and replace any cracked attachment fitting found.

Is there a modification I can incorporate instead of repetitively inspecting the front and back of the fuselage front bulkhead attachment fitting for cracks? The FAA has determined that long-term continued operational safety would be better assured by design changes that remove the source of the problem rather than by repetitive inspections or other special procedures. With this in mind, FAA will continue to work with PZL-Bielsko in performing further tests to determine the cause of the cracking and to provide a corrective action that would terminate the need for repetitive inspections.

What is the difference between this AD and the service information? The manufacturer's service information allows continued flight if cracks are found in the fuselage front bulkhead attachment fitting that do not exceed certain limits. The applicable service bulletin specifies replacement of the fuselage front bulkhead attachment fitting only if cracks are found exceeding this limit. This AD will not allow continued flight if any crack is found. FAA policy is to disallow sailplane operation when known cracks exist in primary structure, unless the ability to sustain ultimate load with these cracks is proven. The fuselage front bulkhead is considered primary structure, and the FAA has not received any analysis to prove that ultimate load can be sustained with cracks in this area.

Comments

Was the public invited to comment? We provided the public the opportunity to participate in developing this AD. We received no comments on the proposal or on the determination of the cost to the public.

Conclusion

What is FAA's final determination on this issue? We have carefully reviewed the available data and determined that air safety and the public interest require adopting the AD as proposed except for minor editorial corrections. We have determined that these minor corrections:

- Are consistent with the intent that was proposed in the NPRM for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM.

Changes to 14 CFR Part 39—Effect on the AD

How does the revision to 14 CFR part 39 affect this AD? On July 10, 2002, the FAA published a new version of 14 CFR part 39 (67 FR 47997, July 22, 2002), which governs the FAA's AD system. This regulation now includes material that relates to altered products, special flight permits, and alternative methods of compliance. This material previously was included in each individual AD. Since this material is included in 14 CFR part 39, we will not include it in future AD actions.

Costs of Compliance

How many sailplanes does this AD impact? We estimate that this AD affects 8 sailplanes in the U.S. registry.

What is the cost impact of this AD on owners/operators of the affected sailplanes? We estimate the following costs to accomplish the inspection:

Labor cost	Parts cost	Total cost per sailplane	Total cost on U.S. operators
2 workhours × \$65 per hour = \$130	Not applicable	\$130	\$130 × 8 = \$1,040.

We estimate the following costs to accomplish any necessary replacement that will be required based on the results of this inspection. We have no way of determining the number of sailplanes that may need such a replacement:

Labor cost	Parts cost	Total cost per sailplane
10 workhours × \$65 per hour = \$650	\$680	\$650 + \$680 = \$1,330.

Regulatory Findings

Will this AD impact various entities? We have determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

Will this AD involve a significant rule or regulatory action? For the reasons discussed above, I certify that this AD:

1. Is not a "significant regulatory action" under Executive Order 12866;
2. Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and
3. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a summary of the costs to comply with this AD and placed it in the AD Docket. You may get a copy of this summary by sending a request to us at the address listed under ADDRESSES. Include "AD Docket No. 2003-CE-68-AD" in your request.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. FAA amends § 39.13 by adding a new AD to read as follows:

AIRWORTHINESS DIRECTIVE

Aircraft Certification Service
Washington, DC



U.S. Department
of Transportation
**Federal Aviation
Administration**

We post ADs on the internet at "www.faa.gov"

The following Airworthiness Directive issued by the Federal Aviation Administration in accordance with the provisions of Title 14 of the Code of Federal Regulations (14 CFR) part 39, applies to an aircraft model of which our records indicate you may be the registered owner. Airworthiness Directives affect aviation safety and are regulations which require immediate attention. You are cautioned that no person may operate an aircraft to which an Airworthiness Directive applies, except in accordance with the requirements of the Airworthiness Directive (reference 14 CFR part 39, subpart 39.3).

2004-21-02 Przedsiębiorstwo Doswiadczalno-Produkcyjne Szybownictwa "PZL-Bielsko": Amendment 39-13823; Docket No. 2003-CE-68-AD.

When Does This AD Become Effective?

- (a) This AD becomes effective on November 29, 2004.

What Other ADs Are Affected by This Action?

- (b) None.

What Sailplanes Are Affected by This AD?

- (c) This AD affects Model SZD-50-3 "Puchacz" sailplanes, all serial numbers, that are certificated in any category.

What Is the Unsafe Condition Presented in This AD?

- (d) This AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Poland. We are issuing this AD to detect and correct cracks in the fuselage front bulkhead attachment fitting, which could result in structural failure of the bulkhead. This failure could lead to loss of control of the sailplane.

What Must I Do To Address This Problem?

- (e) To address this problem, you must do the following:

Actions	Compliance	Procedures
(1) Using a fluorescent dye-penetrant or dyecheck method, inspect the front and back of the fuselage front bulkhead attachment fitting for cracks.	Within the next 25 hours time-in-service (TIS) after November 29, 2004 (the effective date of this AD). Repetitively inspect thereafter at intervals not to exceed 12 calendar months.	Follow Przedsiębiorstwo Doświadczalno-Produkcyjne Szybownictwa PZL-Bielsko (PDPS "PZL-Bielsko") Mandatory Bulletin No. BE-048/SZD-50-3/2000 "Puchacz", dated June 6, 2000.

(2) If cracks are found during any inspection required in paragraph (e)(1) of this AD, replace the fuselage front bulkhead attachment fitting.	Prior to further flight after any inspection required in paragraph (e)(1) of this AD in which cracks are found. After replacing the fuselage front bulkhead attachment fitting, continue with the repetitive inspections required in paragraph (e)(1) of this AD.	Follow Przedsiębiorstwo Doświadczalno-Produkcyjne Szybownictwa PZL-Bielsko (PDPS "PZL-Bielsko") Mandatory Bulletin No. BE-049/SZD-50-3/2000 Puchacz", dated September 14, 2000.
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May I Request an Alternative Method of Compliance?

(f) You may request a different method of compliance or a different compliance time for this AD by following the procedures in 14 CFR 39.19. Unless FAA authorizes otherwise, send your request to your principal inspector. The principal inspector may add comments and will send your request to the Manager, Standards Office, Small Airplane Directorate, FAA. For information on any already approved alternative methods of compliance, contact Greg Davison, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4130; facsimile: (816) 329-4090.

Does This AD Incorporate Any Material by Reference?

(g) You must do the actions required by this AD following the instructions in Przedsiębiorstwo Doświadczalno-Produkcyjne Szybownictwa PZL-Bielsko (PDPS "PZL-Bielsko") Mandatory Bulletin No. BE-048/SZD-50-3/2000 "Puchacz", dated June 6, 2000; and Przedsiębiorstwo Doświadczalno-Produkcyjne Szybownictwa PZL-Bielsko (PDPS "PZL-Bielsko") Mandatory Bulletin No. BE-049/SZD-50-3/2000 "Puchacz", dated September 14, 2000. The Director of the Federal Register approved the incorporation by reference of this service bulletin in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. You may get a copy from Przedsiębiorstwo Doświadczalno-Produkcyjne Szybownictwa PZL-Bielsko, ul. Cieszyńska 325, 43-300 Bielsko-Biala: telephone: +48 033 812 50 21; facsimile: +48 033 812 37 39. You may review copies at FAA, Central Region, Office of the Regional Counsel, 901 Locust, Room 506, Kansas City, Missouri 64106; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741-6030, or go to:
http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

Is There Other Information That Relates to This Subject?

(h) Republic of Poland AD Number SP-0059-2000-A, dated June 5, 2000, and AD Number SP-0094-2000-A, dated September 18, 2000, also address the subject of this AD.

Issued in Kansas City, Missouri, on October 5, 2004.
Dorenda D. Baker,
Manager, Small Airplane Directorate, Aircraft Certification Service.
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